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1. A composition including a first nucleic acid construct in which expression of a first gene is controlled by a first promoter whose function is suppressed in non-tumor cells, and a second nucleic acid construct in which expression of a second gene for down-regulating the first gene in non-tumor cells is controlled by a second promoter that is up-regulated in non-tumor cells.

2. A composition according to claim 1 wherein expression of said second gene produces an antisense RNA transcript complementary to a sequence within mRNA produced on transcription of said first gene.

3. A composition according to claim 1 wherein expression of said second gene produces a ribozyme specific for a sequence within mRNA produced on transcription of said first gene.

4. A composition according to claim 1 wherein expression of said second gene produces a sequence-specific transcriptional suppressor and said first nucleic acid construct includes a binding site sequence for the suppressor.

5. A composition according to claim 4 wherein said sequence-specific transcriptional suppressor is a *lac* operator suppressor.

6. A composition according to claim 4 wherein said sequence-specific transcriptional suppressor includes a *tet* repressor DNA-binding domain and a suppression domain of the *Drosophila* KRAB transcription factor.

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7. A composition according to claim 4 wherein said sequence-specific transcriptional suppressor includes a Gal-4 DNA-binding domain and a suppression domain of the *Drosophila even-skipped* transcription factor.

8. (Amended) A composition according to [any preceding claim] claim 1 wherein said first nucleic acid construct and said second nucleic acid construct are each on separate nucleic acid vectors.

9. (Amended) A composition according to [any of claims 1 to 8] claim 1 wherein said first nucleic acid construct and said second nucleic acid construct are on the same nucleic acid vector.

10. A composition according to claim 9 including an insulator sequence between said first nucleic acid construct and said second nucleic acid construct.

11. (Amended) A composition according to [claim 9 or] claim 10 wherein a said nucleic acid vector is a viral vector.

12. (Amended) A composition according to [any of the preceding claims] claim 1 wherein said second nucleic acid construct includes a p53 binding site sequence or CMB promoter.

13. A composition according to claim 12 wherein said second nucleic acid construct includes said p53 binding site sequence downstream of a TATA Box and transcriptional start site of the second promoter.

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14. (Amended) A composition according to [any preceding claim] claim 1 wherein said first promoter is up-regulated in tumor cells.

15. A composition according to claim 14 wherein said first promoter is the HSP70 promoter.

16. (Amended) A composition according to [any preceding claim] claim 1 wherein said first gene is a reporter gene.

17. (Amended) A composition according to [any of claims 1 to 15] claim 1 wherein said first gene encodes an antitumour agent.

18. A composition according to claim 17 wherein said antitumour agent is a pro-drug activating enzyme.

19. A composition according to claim 18 wherein said pro-drug activating enzyme is a thymidine kinase.

20. (Amended) A cell containing a first nucleic acid construct and a second nucleic acid construct of a composition according to [any preceding] claim 1.

21. A cell according to claim 20 which is a tumor cell.

22. (Amended) A method comprising introduction of a first nucleic acid construct and a second nucleic acid construct of a composition according to [any of claims 1 to 19] claim 1 into a cell.

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